

Rev. 05/2007

**TO PLAINTIFF AND ITS ATTORNEY OF RECORD:**

**PLEASE TAKE NOTICE THAT** *pro se* defendants Atherton Trust - A Delaware Statutory Trust and Kraig Kast, former Managing Trustee of Atherton Trust - A Delaware Statutory Trust will move this Court for an order to dismiss for lack of personal jurisdiction pursuant to F.R.C.P. Rule 12(b) (2) and improper venue pursuant to F.R.C.P. Rules 12(b) (3). In the alternative, these *pro se* defendants will seek an order of this Court to transfer this matter to the Central District of California pursuant to 28 U.S.C. 1404 (a).

This motion is based upon this Notice of Motion, the Memorandum of Points and authorities and supporting declarations filed and served herewith, all matters to which the Court can take judicial notice, and upon the papers, records and pleadings file herein.

Dated May 16, 2012

By:

Atherton Trust-A Delaware Statutory Trust,  
*pro se* defendant  
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Kraig R. Kast, *pro se*  
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Valley Center, CA 92082